

REMARKS

The above-identified application has been carefully reviewed in view of the Office Action of October 28, 2004. In the Office Action claims 11, 13 and 14 were rejected as being obvious over Carr Patent No. 4,026,596. Claim 12 was rejected as being obvious over Carr in view of Mowatt-Larsen Patent No. 3,545,713. Reconsideration of this application is respectfully requested.

Independent claim 11 was rejected as being obvious over Carr. Independent claim 11 requires, as shown in Figure 23, that the first end of the shaft 332 is attached to the top wall 318 of the housing 316. The head 334 is required to be attached to the second end of the shaft 332. Claim 11 further calls for the block 342 to be adapted to be rotatable about the shaft 332 with respect to the housing 316 and the head 334.

In the Office Action Carr is said to include a shaft 34 having a first end attached to the top wall of the housing and a head 33 attached to the second end of the shaft. However, this does not appear to be an accurate description of the structure disclosed in Carr. As shown in Figure 2 of Carr, the head 33 is attached to a second end of the shank 34. However, the first end of the shank 34 is connected to cam members 44 by a handle 38 adjacent a bottom wall 22 of the housing 18. The shank 34 in Carr is not attached to the top wall 19 of the housing 18 as is required in claim 11.

The Office Action also states that there is no structure in Carr to preclude the block 28 from rotation with respect to the shaft. However, claim 11 requires that the block 342 be adapted to rotate about the shaft 332 with respect to the housing 316 and the head 334. In Carr, the shank 34 and head 33 are rotatable with respect to the block 28, but the block 28 is not rotatable with respect to the housing 18. Column 2, line 39 of Carr indicates that the block 28 is rigidly connected to the top wall 19 of the housing 18. Figure 3 of Carr shows welds between the block

28 and top wall 19. The block 28 in Carr is therefore not rotatable about the shank 34 with respect to the housing 18 and head 33 as is required in claim 11.

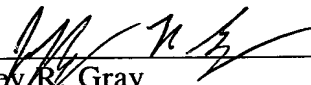
It is respectfully submitted that there is no teaching or suggestion in Carr to modify the structure as shown in Figure 2 of Carr to be constructed or operate as called for in independent claim 11. Independent claim 11 and its dependent claims 12-14 are therefore respectfully submitted to be in condition for allowance. A new claim 15, which depends from claim 13 and thereby claim 11, has been added to the application. Claim 15 is also allowable as being dependent upon claim 11.

A new independent claim 16 and dependent claims 17-20 have been added to the application. Claim 16 calls for a block 342 extending around a shaft 332 between a housing 316 and a head 334. Claim 16 further calls for the block 342 to be rotatable about the shaft 332 with respect to the housing 316 and head 334. In Carr, as discussed above, the shear block 28 is not rotatable about the shank 34 with respect to the housing 18. It is therefore respectfully submitted that independent claim 16 and its dependent claims 17-20 are allowable over the cited references.

Claims 1-10 were previously cancelled. Allowance of claims 11-20 is respectfully requested.

Respectfully submitted,

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